

EXHIBIT G

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

CATHERINE L. DAVIS and)
TOMMY MOORE, _)
individually, and on)
behalf of others)
similarly situated,)

Plaintiffs,)

-vs-)

No. 5L07-cv-01401-W)

DELL, INC., d/b/a DELL)
COMPUTER, INC., DELL)
USA L.P., and DELL)
MARKETING L.P.,)

Defendants.)



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REPORTING & VIDEO, INC.



DEPOSITION OF CATHERINE DAVIS

TAKEN ON BEHALF OF THE DEFENDANTS

IN OKLAHOMA CITY, OKLAHOMA

ON OCTOBER 15, 2008

COPY

REPORTED BY: KASEY D. EGELSTON, CSR

1 hours worked?

2 A Exactly.

3 Q How were you paid? On what basis were
4 you paid?

5 A I had an offering letter.

6 Q Was it hourly, salary?

7 A Salary, nonexempt.

8 Q What was your understanding of what
9 that meant?

10 A It was written in a document.

11 Q How did you understand that it would
12 work? What were you expecting?

13 A That I would be given a salary of 40
14 hours, plus overtime.

15 Q And you would get the salary,
16 regardless of how many hours you worked?

17 A No. You would get the salary for 40
18 hours, and then overtime.

19 Q Okay. But if you worked 50 hours, you
20 would still get your salary paid, plus overtime?

21 A Can you repeat the question?

22 Q Sure.

23 If you worked 50 hours in a week, you
24 would get your salary plus overtime?

25 MR. FARHA: Object to the form.

1 -- what was the regularly scheduled lunch
2 period?

3 A I don't remember.

4 Q Do you remember how lunch was accounted
5 for? Was it something you had to do or --

6 A I --

7 Q Don't remember?

8 A Huh-uh. No, sir.

9 Q Do you remember if -- ever hear any
10 mention that Kronos automatically deducted an
11 hour?

12 A No, I don't.

13 Q Never heard, then, I guess that there
14 was a way to override that in Kronos?

15 A No, sir.

16 Q Let me show you what's been marked as
17 Deposition Exhibit 7. And I just covered over
18 the 3. This one is a front and back one.

19 Ms. Davis, if you'll look down at the
20 bottom, this number is a little different. It
21 says "Davis 120" and then the back says "Davis
22 121."

23 (Defendants' Exhibit Number 7 was
24 marked for identification purposes
25 and made a part of the record)

1 A I don't remember.

2 Q You don't remember that's not the way
3 it worked. You just don't remember?

4 A I don't remember seeing this
5 documentation.

6 Q Okay.

7 A I don't know that we ever got it.

8 Q Do you remember whether or not you were
9 always paid your base salary, regardless of the
10 number of hours that you worked? I mean, there
11 wasn't a time where your pay got docked or
12 anything like that?

13 A I don't believe it was docked, no, sir.

14 Q Okay. Do you know if there were weeks
15 where you worked less than 40 hours?

16 A I don't believe so.

17 Q There were weeks where you worked more
18 than 40 hours?

19 A Always.

20 Q Let me show you what's been marked as
21 Deposition Exhibit 6. And from the front, I'm
22 assuming you may not have seen this while you
23 were at Dell, because it looks like it was after
24 you were gone; is that correct?

25 (Defendants' Exhibit Number 6 was

1 A I don't remember.

2 Q Okay.

3 A I don't recollect.

4 Q The last item is a URL for your
5 compensation resources.

6 Do you know if you had access to that?

7 A That doesn't look familiar. No.

8 Q Okay. Do you know whether or not -- or
9 is one of your claims that you were not paid for
10 any lunch periods?

11 A I would work from 7:00 in the morning
12 until 9:00 at night, and the hours I worked did
13 not equal the paycheck.

14 Q Okay. So there wasn't anything
15 particular about lunches, that stood out?

16 A We would eat lunch at our desks. We
17 didn't take a lunch.

18 Q Did you ever take lunches?

19 A Once in a blue moon, we would go down
20 to the cafeteria. But we would clock out.

21 Q And by "clocking out" would mean?

22 A Do the Aux for lunch.

23 But more often than not, I would pack a
24 lunch and eat at my desk and work through lunch.
25 I didn't take a lunch.